

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

A.M.S., et al.,

Plaintiff(s),

vs.

JULIAN T. STEELE, et al.,

Defendant(s).

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Case Number: 1:11cv298

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on June 8, 2012 (Doc. 26), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired June 25, 2012, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiffs' request to voluntarily dismiss the state law tort claims against Bailey without prejudice is **GRANTED**.

Defendants' motion to dismiss (Doc. 12) is **GRANTED** in part and **DENIED** in part.

Defendants' motion to dismiss plaintiffs' claims against defendant Captain Bailey is **GRANTED** and defendants' motion to dismiss plaintiffs' claims against defendant City of Cincinnati is **DENIED**.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court